

APPENDIX C

Pc Fletcher will be submitting the police evidence. He will be showing a short DVD of an incident at the House of Legends. He will also be referring to 3 police officers to read their reports (included in the bundle), & field any questions for the panel.

At the time of submitting this schedule, there will be 1 further report which will contain statistics of reported incidents. This is being collated by a different police department and will be made available asap.

There may also be late submissions dependant on any incidents related to the premises up until the date of the hearing.

Gary Fletcher
30/1/2013

A schedule to the police submission;

A compilation of police reports in reference to visits and observations detailed by police officers. (There is a gap in the numbered reports, #26 is missing. This is a report from the ambulance service in reference to a request by the House of Legends for a female who'd fallen and hurt herself.) I will be referring to this report but because of Data Protection & the personal details it holds I cannot include it in this submission.

Annex 1 contains a copy of the premises licence used in the interview with Mrs Goldstone & Mr Whitehead

Annex 2 contains a copy of the premises licence used in the visit by Pc Fletcher on the 21/11/12

Annex 3 contains photographs (a breach of a mandatory condition - #4).

Annex 4 contains a list of the breaches and concerns

Reports submitted to the
Premises Licence by
patrolling police officers.

Sgt,

During the evening of Sat 13th Nov 2010, my shift of officers were directed to carry out patrols within the Newport Town Centre area.

At approx 2245hrs, myself and a colleague were drawn to the vast amount of people on the High St, Newport which were customers using the Hogshead P/H, House of Legends and Yates P/H. It was clear that there were a lot of drunk MOP within the stretch of pavement between the Hogshead and Yates. It was decided that officers would remain static at the roadside in this vicinity to monitor punters in and out of the three pubs.

My initial attention was drawn to House of Legends from the excessive noise that was being distributed from entertainment within. The front doors to the premises were wide open with the noise being distributed out into the surrounding areas. On making closer observations within the premises, a large number of punters could be seen dancing within the area to the left hand side of the premises usually where tables for dining are situated. A DJ pod with a DJ present was playing very loud music to customers. The DJ pod was situated at the front of the premises to the left of the main front door.

I could only see one member of door staff on duty who was occasionally monitored the front door and other times stood up to the side of the DJ pod monitoring within the premises. There didn't appear to be any calculating of punters coming in and out of the premises and drunk MOP of the public were seen to be entering via the front door without being challenged. These drunk punters were customers spilling out of either Yates or The Hogshead. My concerns were that these customers were being let into the premises who were clearly drunk without being challenged with an opportunity for further alcohol to be purchased within House of Legends and there was no control of how many customers were present within the premises at any one time. I did not see the door staff member calculating customers using a clicker system. I also noticed that a new bar area within the premises has been set up to the front of the premises to the right hand side of the main entrance. My opinion was that the premises was not being used for dining purposes, particularly the downstairs area. I cannot comment on the upstairs dining areas.

With regards the excessive noise from the music, it was that loud I was concerned for local residents in the area being disturbed and could not hear my personal radio over the noise being distributed. This was when I was on static observations on the opposite side of the road to Yates P/H. The noise was worsened with the front doors being continually open. I also worked the previous Saturday evening and the setup and music within the premises was exactly the same, hence my attention being drawn to the premises.

Up until approx 0000hrs customers were coming in and out of the premises, with loud music continually being played.

On returning to the area at approx 0115hrs, I walked past the front of the premises with punters still flowing in and out. The door staff member was not present on the front door but could be seen standing on the DJ pod within. I

remained static near to County Hall in Newport and monitored the premises (House of Legends). I witnessed persons being ejected from the premises and then entering into Yates P/H with no communication from House of Legends door staff member to Yates door staff members. Music was distributed from the premises up till around 0145hrs when I left the area with persons still entering and leaving the premises.

On returning to the station and speaking to officers on my team who had been static in the High St, Newport up until approx 0200hrs, they informed me that this activity within House of Legends continued up until around 0200hrs.

I have since reviewed the license conditions for the House of Legends and it would appear that breaches of their premises license that evening were occurring.

Please could you look into this matter

Report submitted for consideration A/PS 22452

1a

At 1400hrs on 29/11/10 Alexandra Goldstone (DPS) and her son Mark Goldstone (who is apparently involved in running the premises) attended Jubilee Stores to discuss the application to vary licence. I expressed concern at the extension of hours for licensable activities until 0200hrs and at the fact the existing hours were recently disregarded (13/11/10). Claire Van Heerden served a warning letter on Mrs Goldstone re that occasion.

Mrs Goldstone appears amenable to some amendment of the application to meet police concerns and I will forward her our proposals for negotiation in due course.

PS Voller

Mrs Goldstone
House of Legends
21-22 High Street
Newport
Isle Of Wight
PO30 1SS

28 November 2010

Dear Mrs Goldstone,

REQUEST FOR ASSISTANCE NUMBER:

Licensing Act 2003 – House of Legends, 21-22 High Street, Newport, Isle of Wight.
(Premises licence number: 032524)

I am writing to inform you that this department received information alleging that on 13th November 2010 regulated entertainment was being provided at the above premises past the times permitted on the premises licence issued under the Licensing Act 2003.

I must remind you that under section 136 of the Licensing Act 2003 a person commits an offence if he attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or he knowingly allows a licensable activity to be so carried on.

A person guilty of such an offence is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

I must also remind you of the review process under the Act where any of the responsible authorities (e.g. Police, Fire, and Environmental Health) or anyone who lives in the vicinity of the premises or has a business interest in the vicinity of the premises may apply for a review of the licence.

If a review of the licence is sought and there is evidence to suggest that any of the four licensing objectives are not being upheld at the premises, the Licensing (Determinations) Sub-Committee may decide to remove a licensable activity from the licence, amend the

hours licensable activities are permitted to take place, remove the Designated Premises Supervisor or even suspend or revoke the licence.

Although on this occasion the Licensing Section will not be taking any enforcement action, should we receive further allegations that are substantiated we may take enforcement action in accordance with the department's Enforcement Policy. However a responsible authority or interested party could still request a review of your Premises Licence using the evidence from 13th November 2010.

Please do not hesitate to contact me should you wish to discuss this further.

Yours sincerely

Claire Van Heerden
Licensing Officer

Licensing visit 24/12/12 22.00hrs (Insp Bell/PS Steele)

We conducted a licensing visit at the premises to discuss the implications of the new premises licence issued under Premises Licence Number: IW 034454.

Firstly on speaking to door staff there is clearly still no clear understanding of their responsibilities under condition 12

12. The maximum number of persons permitted on the premises will not exceed 250. Door staff when deployed will keep accurate records of the number of persons present on the premises by the use of 'clicker' type number counting devices.

No clicker was in use and again the door staff response to our request was that it was impossible to impose because they had two doors to manage. Advice to use one as an entrance and the other as an exit door was given although I still feel the door staff have not grasped the concept of what is required. It was clear the premise did not have the maximum number of 250 inside so words of advice were given on this occasion.

Secondly condition 21 was not being adhered to:

21. Plastic or polycarbonate glassware shall be used from 21.00hrs on any occasion live or recorded entertainment is provided, and no beverage shall be served in a glass vessel

Before we had an opportunity to point this out the manager admitted he hadn't had time to get enough plastic receptacles in for the evening having only received his notification the licence had gone through earlier that day.

Generally the approach at the premise seems disorganised and at odds with the premises either side (Hogs Head & Yates) - the door staff at both of these premises have had to assist the House of Legends twice in the last two weeks with issues front of house although this Occ doesn't reflect that.

The manager was warned regarding these breaches and that a firmer stance would take place in the following weeks

PS Dave Steele

Operations OCU

HV VISIT

3 SIA DOOR STAFF ON PREMISES

COUNTING IN AND OUT OF PREMISES SEEN

MANAGER SPOKEN TO AND CCTV SYSTEM SEEN AS WELL AS
LICENCE TO TRADE

NO ISSUES IDENTIFIED AT TIME OF VISIT

PS3416

Mark/Team

During the late shift of Saturday night it became clear that the House of Legends had two extra males on the door in support of the two SIA door staff (Dave and Daz). Information from other premises is that they are not licensed and even if they were they were not dressed in appropriate clothing to identify themselves as doot staff.

One of these was wearing a yellow hoody, he was heavy build/fat - the other had a black leather box jacket and had a goatie beard.

They were in and out monitoring the door all evening but I didn't realise they were supporting Daz and Dave until the close of play when one of the door staff from Yates commented on the fact when they had spoken to the pair of them the guy in the yellow hoody had said they were there 'to cover Daz's back' if there was any trouble.

Can you address this during the week with the manager and next time I'm on I will do a proper visit.

PS Dave Steele

Operations OCU

I have recently been investigating an assault (ABH) which occurred within the House of Legends P/H on 23/01/11 - [REDACTED]

An essential enquiry at the House of Legends was to obtain CCTV of the fight inside. CCTV was initially requested but for some reason or another the DVD given to police was the incorrect timings. A further copy was then requested with the correct timings soon after.

From this point onwards, several officers made requests for the footage but staff from House of Legends continued to indicate that there was some sort of problem with it.

After a period of time passing (28 days) House of Legends then contacted police to say that 28 days had now past and footage was no longer available (overwritten). This has then lead to the investigation of the suspect arrested being NFA'd on the basis of no supporting evidence. I have no doubt that this CCTV footage would have shown the fight within the pub and provided police with key evidence.

I was not happy with the co-operation from House of Legends with regards their CCTV. They should as a licensed premises make every effort to co-operate and supply police with the requested footage asap.

Please could this be noted for any future incident occuring of a similar nature

Submitted for consiseration

A/PS 22452

Sir

On Saturday 12th I received a complaint from Yates door staff that one of their off duty door team went into House of Legends (12th March) and was challenged for ID by one of the two males previously suspected of working as an unlicensed door staff at the premises.

Observations were then conducted at the front door of the premises by Op Viper patrols for the next few hours. It was clear these males were aware of this, they were still active and around the door but then stopped engaging with members of the public.

The around 23.30hrs Mr Ian [REDACTED] was asked to leave the area by police, doorstaff were advised he was currently banned from a number of pubs in Newport and shouldn't be allowed access. They agreed and he was escorted out of the area by the two males.

About 01.00hrs the two males brought him back to the front of the pub which was clearly unacceptable - Newnham was then dispersed from the area by Op Viper patrols but the issue of the two males role in this incident then needed addressing.

I spoke to both and challenged them on the fact I believed they were unlicensed door staff working in House of Legends. The fatter and shorter male of the two then said he was a licensed door man but failed to produce a SIA badge and the taller male said he didn't have a SIA badge. Both were dispersed although the fatter male was rude, obstructive and aggressive towards police - PS Allan and PC Ellis then dealt with the two males at their vehicle whilst I dealt with the head doorman and DPS.

I warned the head doorman (Daz Watts) and the DPS rep (Mr Goldstone) that employing unlicensed door staff was an offence. They were advised this was their final warning and any future sightings of these males on premises would result in prosecution of the pair of them, they accepted this and were grateful for not being reported then.

Discussions then continued with Mr Watts who advised me the fatter male of the two had bullied his way in to the premises and in effect he was basically in fear of him and was grateful we had got involved to resolve the problem for them, the male states he is from London and has lots of stories of working the door up there etc and he could help them keep trouble out. Once again the other Doorman (Dave) is quite weak and was clearly not in a position to get rid of them.

I hope this warning will be an end to the matter - this approach seems to be in line with SIA guidelines for such offences. The details of the two males will be provided in a separate report from PC Ellis on his return to duty later this week. Reported for Licensing information.

PS Dave Steele

Sir

I carried out a licensing visit to these premises at 2300 20/05/2011, DPS
EMMA BAKER on premises with 3 SIA staff. 202 Persons on premises. walk
through and ID checks conducted no offences disclosed

PS3416

Ladies Night

Every Friday at
The House of Legends

2-4-1 on all food
(Excluding Steaks)

2-4-1 on Cocktails!

2-4-1 on Wine!

Entertainment provided
throughout the Night

10a

At 1450hrs on 11/6/11 PC 2881 Fletcher and I visited House of Legends as loud music was emanating from the premises. We went to the roof terrace and saw that a duo were performing live with guitars and about 25 customers were seated on the terrace with drinks. Most were facing towards the performers. I spoke to DPS Alexandra Goldstone, who was asked whether the roof terrace was licensed for entertainment. She said she is uncertain and will check. Available records indicate the roof terrace is not licensed. Throughout the ground and first floors loud recorded music was being played and the frontage of the premises was open, allowing the escape of noise. I advised Ms Goldstone that the level of noise was likely to lead to complaints from the public.

PS Voller

Friday/Sat 1st/2nd July Music from the venue was much louder than normal.
Doors were shut but the music could be clearly heard from some distance
away. Doorstaff were spoken to .

On Saturday 9th July 2011, myself and PC BROWN were approached by a very upset Mum who told us that her 16 year old daughter (Sophie [REDACTED]) and Sophie's friend Shelby (also 16) had been drinking in House of Legends earlier in the evening and were now drunk. Sophie (who was in the car with her Mum) confirmed that this was true and they had gained entry via their friend "ROXY" who works there. Roxy was also the one who had served them all night.

I have today issued a FPN to Roxanne [REDACTED] who is a waitress at House of Legends. The FPN was for selling alcohol to a person under 18 in the House of Legends on 9th July 2011. (Code DA18).

On the night in question Mark GOLDSTONE was made aware that this offence had occurred by myself and he assured me that Roxanne was going to be sacked for this. She was not sacked.

Roxanne admitted that she had served the two girls in question.

E-Mail Chain between the Council Licensing and Mrs Goldstone w reference to drinks promotions.

Hi Ben

To confirm what was discussed in our telephone conversation today, I informed you that these conditions do not completely prohibit 'happy hour' type promotions - even promotion of this kind would need to be judged on its own merits and providing they do not encourage people to drink more in a limited time or more quickly than they ordinarily may have done and they do not lead to crime and disorder then they should be compliant with the condition.

A promotion could be held for the duration of a football match, I would almost say that the longer the promotion is in place the better so you are not encouraging people to drink quickly, but also the price must be monitored to ensure you are not encouraging people to drink more than they would have done ordinarily.

If you wish to hold promotions you may do so, however, I would advise that each new promotion if in doubt is discussed with Council Licensing and Police Licensing.

I hope this clarifies.

Thanks
Claire

Claire Thomas | Licensing

Hello Claire ,

Could you please stipulate in an email what we discuss on the phone re. The possibility of allowing the offer to run for the duration of a sports fixture as apposed to until the first goal? As I explained this in effect brings the promotion more in line with the principles of a 'happy hour' promotion and seeing as this incentive is there to establish out sports programming mid

24/02/2012

14-44

week should contribute to excessive drinking?

Thanks for you time,

Regards,

Benjamin Athey

On 23 Feb 2012, at 15:02, "Thomas, Claire" <Claire.Thomas@IOW.gov.uk> wrote:

Hi Alexandra

Promotions that appear to encourage people to drink more in quantity or more quickly than what they ordinarily may have done will be in breach of this condition. A reduction in price that is not for a short time and doesn't refer to any outcome and is not dependent on something occurring or not occurring should be fine. However, if there is evidence to suggest that a promotion is leading to more crime and disorder, it may amount to a breach of the condition.

I hope this helps.

Regards

Claire

Claire Thomas | Licensing Officer
Isle of Wight Council | Liphook, Isle of Wight

From: Alexandra Goldstone [redacted]
Sent: 23 February 2012 14:51
To: Thomas, Claire
Cc: [redacted]
Subject: RE: Breach of licence - drinks promotions

Claire

I have just been asked can they advertise £2 @ pint with no reference to time or football?

Alexandra

From: Thomas, Claire [mailto:Claire.Thomas@IOW.gov.uk]
Sent: 23 February 2012 14:45
To: Alexandra Goldstone
Cc: Voller, Mark Sgt
Subject: RE: Breach of licence - drinks promotions

Thanks for getting back to me and confirming this.

Kind regards
Claire

Claire Thomas | Licensing Officer |

24/02/2012

14B-45

As part of our commitment to Eco Island please don't print unless necessary

From: Alexandra Goldstone [REDACTED]
Sent: 23 February 2012 14:42
To: Thomas, Claire
Cc: [REDACTED]
Subject: RE: Breach of licence - drinks promotions

Dear Claire,

Ben has just phoned me and I was about to phone you back. I have instructed him to remove all advertising to this effect and can only apologise that I have allowed this promotion to go ahead.

It's certainly a wakeup call and I will definitely be more aware of any promotion that they are running.

Thank you for bringing this to my attention.

Regards

Alexandra

From: Thomas, Claire [mailto:Claire.Thomas@eco-island.co.uk]
Sent: 23 February 2012 14:34
To: Alexandra Goldstone; Alexandra Goldstone
Subject: Breach of licence - drinks promotions
Importance: High

Dear Alex

I understand that you are currently advertising a drinks promotion whereby pints will be priced at £2 until the first goal is scored in a football match, which is taking place this evening.

I have spoken with a member of staff at the premises and informed them that you are not permitted to carry on this kind of promotion and it is a breach of a condition of the licence, please see this below.

I therefore request that you cease advertising and operating this promotion immediately as a breach of a licence condition is an offence under the Act. A person guilty of such an offence is liable on summary conviction to a fine not exceeding, £20,000. If further evidence is gathered suggesting non-compliance with any condition of the licence, this will be investigated and enforcement action may be taken against you.

Mandatory Condition

3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- a) games or other activities which require or encourage, or are designed to

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require or encourage, individuals to--

- drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on--
- the outcome of a race, competition or other event process, or
 - the likelihood of anything occurring or not occurring;
- e) selling or supplying alcohol in association with promotional posters or flyers
- drunkenness in any favourable manner.

Regards
Claire

24/02/2012

14C
B-47

Visit paid by shift. Manager spoken to and all in order with no issues of note.
Landlord content with police attendance to incidents at night when busy.

Bob

APS 1235

Licence visit at 01:15 All in order. The noise level in my opinion is too high.
May be causing disturbance to local residents. Will be checked again on
17th/18th

PC 3762 Dixon

Sir,

I made a licensed visit at 21:30 on Wednesday the 21st November 2012. There were approximately 10 people inside with 2 barstaff. #1 XXXXXX XXXXXX-XXXXXXXXXX (27/3/85), and XXXXXX XXXXXXXXXXXX. I spoke with both staff and XXXXXX agreed to go through the conditions of the licence. Neither of the bar staff were personal licence holders.

The refusals register was shown to me and the last entry was made on the 4/11/2012 when a Ben XXXXXXXX was refused entry for being on pub watch. Previous to that entry the next one was 30/10. It appeared to me to be very few refusals, in relation to the numbers they get on the weekends.

No complaints or staff training registers/records were made available to me which is part of the conditions. Conditions on Annex 2 - #10, #11, #16 refer to these records.

Condition # 21 states on Wednesdays, Fridays and Saturdays, after 21:00hrs polycarbonate glasses will be used. I confirmed with Ashlee that they were still serving glass after the 21:00 hrs. She was unaware the licence required polycarbonate. They were in fact breaching the licence, but she was unaware of the licence. I asked if she'd received training in relation to the premises licence, she confirmed she hadn't. She stated she hadn't received any formal training, just word of mouth instructions, which clearly wasn't adequate as she was unable to comply with the licence.

I also went through the mandatory conditions which included condition #4, which states no alcohol will be dispensed directly into the mouth of another. I explained the likeness to the 'dentist chair', she didn't understand the dentist chair, but did understand the requirement to not pour alcohol directly into mouths.

2881

Alex GOLDSTONE & Iain WHITEHEAD,
REPONSES TO INTERVIEW 12/12/2012

As a result of police concerns at The House of Legends recently, Alex Goldstone and Iain Whitehead were requested to attend Newport police station for an interview with police licensing at midday on the 12/12/2012. Below is a précis of the interview;

+

Mrs Goldstone has owned and been the DPS of The House of Legends since August 2010. Mrs Goldstone and Mark Goldstone (her son) were the owner/managers for the 1st year. But in 2011, because of commitments to other businesses run by the family, Alex went to MG Heating, while Mark went to MG Scaffolding. Iain was then employed to manage the premises.

When the family took ownership they intended it to be a food lead premises. However due to the changing demographics of the licensing trade in Newport, The House of Legends has evolved to being a café/food outlet for the day, and a late night venue for weekends. The targeted custom is 'through trade' (short stop customers drinking 2 or 3 drinks before moving on).

It operated until recently with a manager for the Friday and a different manager for the Saturday. A single manager is now responsible for both Friday & Saturday. That same manager (Iain Whitehead) is leaving the premises before Christmas 2012. It is unsure who will be the manager/personal licence holder after this time.

The music is controlled by a sound monitor; entertainment (live or recorded music) doesn't start until 22:00hrs. The manager will stand opposite the premises to monitor and record the sound levels.

A procedure was briefly used where the recorded levels would be sent to the Health & Safety representative at MG Heating who would then send it to the Environmental Health at IOWCC. This procedure was implemented 6 - 8 weeks ago; it continued for 3 weeks, no concerns were raised by the E.H. so the procedure was discontinued.

A male called Mathew Burchmore was employed as a barman, he approached Mark Goldstone and asked for permission to run some promotion nights which he advertised as 'F*** Me I'm Fresh.' The 2 males responsible for these promoted events were Mat Burchmore & Dan Newnham. On Wednesday the 5th December – after an incident involving Burchmore, 3 drunk customers from The HOL, and 2 police officers – BURCHMORE had been sacked from the HOL.

He was sacked because of the confrontation with the police, but not sacked for the incident of walking along the bar tipping Cactus Jack into the mouths of customers. Even though the management was aware of the incident, *(but wasn't aware it breached a mandatory condition!!)* It's the licensee's obligation to know the conditions

The SIA door supervision that was employed up until recently was sacked because they weren't happy with the standard of work, and respect to themselves. A previous SIA door supervisor was approached to take over the 'doors'. (Nick) who brought his own team of door supervisors (Respondi).

Although Respondi are usually more familiar with event type work, the management believe there appears to be an improvement of their work in recent weeks.

The bar staff when first employed are given a handbook that sets out the do's & don'ts involved in bar work. No handbook was available for inspection despite being asked to bring all records and any documentation that they use which might be helpful.

The staff receives training every day – in the way of verbal tips. They receive other training at least once a week, role plays etc. I confirmed that no formal sit down instructional training is given, and no written record of training exists. No training of the LA03, or the premises licence.

Day to day records are kept at the bar, fire and safety risk assessments are kept in the office. The only records produced were the fire risk assessment, and the SIA duty records. I asked for the written risk assessments, but there are no written risk assessments in existence.

Alex stated for the majority of time, she had day to day running of the premises by way of telephone calls and e mails. She maintained control of the operation by relaying to Iain how she wanted 'things done'. She accepted as the DPS she was ultimately responsible, and stated she had meetings every Tuesday with Iain, and was always on call if necessary.

When asked what the defined role of being a DPS was, she stated it was being responsible, but agreed when I prompted that it was also being the single point of contact, and being involved enough to be able to be the representative to the police, knowing the issues relating to the premises, the training and standard of the staff, the operation of the premises, and of the impact it has on crime and disorder and anti social behaviour.

We then looked through the premises licence, both the mandatory and the local agreed conditions. They both agreed with each condition that they carry out the requirement.

I then went through the premises licence that I had with me on Wednesday the 21st November. I highlighted the conditions that the bar staff, who was one of two bar staff working that night couldn't meet or breached. It included;

Breach of licence for Matt Burchmore tipping alcohol straight into the mouths of customers

Breach of licence for doorstaff failing to use a clicker at the door

Breach of licence for failing to control the last entry time of 01:00hrs

Breach of licence for failing to serve in polycarbonate after 21:00 on Wednesdays

Breaches of licence for failing to keep records of training, failing to train the staff, and to keep a public nuisance log book.

I then read through the reports from officers that show's the failings of the door staff and bar staff, in relation to admitting drunk people, admitting people after the last entry time, the failure to use a counter, the excessively loud volume of music (it was so loud that the amplifier blew up on the 30/11/2012).

The conclusion of the interview was summarised by the failures to comply with the premises licence, the evidenced irresponsibility of drunkenness, the repeated anti social behaviour, the irresponsible promotion nights that breached mandatory conditions, the lack of control on entry. And more significantly, the genuine concerns that the premises will sink lower than the required standards. I discussed the need for all of the above points to be addressed, and a strong, reliable & responsible person to be in control of the premises.

KEY: Black writing is the comments made by the DPS

Blue writing are the comments by Pc Fletcher

1. How long have you been the DPS (18/08/2010) of House of Legends?
3 years next August (2013)
2. How long have MG Heating been the premises licence holder (31/05/2010) – the conditions of the licence were your practical operating schedule – have applied twice to vary the licence – this suggests you have a good understanding of the conditions.
As above
3. Who has been your principal manager for the time you've owned and been responsible for the DPS?
Myself & Mark, Ian took over the following year. MG owns several companies – I went to MG Heating, Mark went to MG Scaffolding, & Ian took over as manager.
4. How do you operate the policy for regulated entertainment – limiter, timings, types of entertainment (live or recorded), themes (drum and bass nights)
We have a sound limiter, entertainment doesn't start until 10pm, the manager stands opposite & records the levels. The levels are set by the council, the recorded levels are then sent to Environmental Health. We've never been contacted by Environmental Health about excessive levels.
5. Who is F*** me I'm fresh, what type of regulated entertainment do they aim for?
2 of the bar staff, approached Mark & asked to put on themed promotion nights. They were Matt BURCHMORE & Dan NEWNHAM. They were responsible for the events. Mark believed they were going okay. Matt was never given permission to describe himself as a manager. We were made aware of the incident involving PS Jackson in the bar and Matt
6. Who is the door staff, who is the non front line manager for the SIA?
The company is Respondi. We changed the door staff 3 weeks ago because we weren't happy with the standard or respect. Ian is happier with the new company, they're used to doing bigger events but they're getting better
7. How do you train your staff?
An official Handbook to the staff, it gives the can's and can not's.
8. How often do you train them?
Training by Ian, probably every day, but at least once a week. We haven't got a register of staff training. We do role plays as opposed to a structured training.
9. Where do you keep your records?
Day to day records at the bar, Fire risk assessments in the office. (I then asked to see the records, having previously asked Mrs Goldstone to bring the records with her to the meeting, but the only record available was the fire risk assessment. No other records were either kept or available.)
10. How much contact do you have with the day to day running of the premises?
Last week it was every day, usually it's telephone calls and e mails, routinely it's about 4 times a week.
11. In respect of the Licensing Act, do you know the phrase Responsible person in regard to being the DPS, and day to day contact?
I have ultimate responsibility, I rely on Ian how I want things done.
12. How do you meet the requirements of being the DPS? Do you supervise in any aspect of the operation of the premises?
Tuesdays I have a meeting with Ian, and I'm always on call if necessary
13. Applied to vary the licence on 13 Jan 2012 which you withdrew. The number as a result of the fire risk assessment recommended a decrease to what figure? You also stated other subjects

such as changing the hours when SIA are required, when & what hour's polycarbonate was to be used (enhancing the breach on Wednesday 21st) and admission times for children. You also varied the licence in December 2010, on the operating schedule you offered all of your bar staff would be BII trained, the staff that I've spoken to at this time aren't BII qualified, since 2010, have any of your staff attended the BII PLH course?

The Fire risk assessment was carried out, the number lowered on the risk assessment until remedial work was carried out, which has now been completed. The staff is trained by Ian, but none of the current staff are trained to personal licence standard.

14. Do you understand the premises licence for HOL?

We went through every condition on Annexe 2, I explained thoroughly what was required, and I went through the copy of the premises licence that I used on Wednesday the 21st November 2012 with Ashleigh Fraser Woodbridge

15. Do you know what the mandatory conditions are?

I went through the mandatory conditions as set out on the premises licence.

16. Do you know of anybody breaching any of those conditions?

At that point I showed the photographs of Matt Burchmore pouring alcohol directly into the mouths of customers from on top of the bar. I explained it was a breach of a mandatory condition (#4).

Both Mrs Goldstone & Mr Whitehead stated they were embarrassed at seeing the photographs

17. What is cactus Jack?

It's an alcoholic alcopop type drink

18. Go through the officers reports

Sir,

I carried out a licensed visit at 00:30 on Sunday the 16th December 2012. The venue was very busy with having had 2 Christmas parties through the night. There were 3 'Respondi' SIA Door supervisors on duty, & the manager Ian Whitehead was present. I saw a very drunk male stood near the bar, he was swaying and falling into people stood nearby. I watched him for a few minutes, his condition remained the same, it was clear that he was drunk. I attracted the attention of an SIA, and pointed out the drunk male, he escorted the male to the door, and took a bottle of beer from him. The male was reluctant to leave and remonstrated to the doorsupervisor. I asked the male to talk to me outside. He was clearly drunk, unsteady on his feet, slurred speech smelt very strongly of alcohol and was argumentative. He accepted that he wasn't going to be let back in, i identified the male to 2 uniformed police officers as being drunk and ejected from the premises.

I re entered because i believed other persons may be intoxicated as well. I then saw a female laying/slouching on the bench seats along the side wall. She was unconscious and alone. I went to find the manager to identify the female to him (the door supervisor was across the other side of the premises near the stage). I pointed out the female to Mr Whitehead. She was now with a male who was supporting her, she was still unconscious with her head bowed onto her chest and in a very vulnerable condition. Mr Whitehead returned with 2 SIA, and walked/supported the female to the door with the aid of the male who was with the female on the seat.

I spoke to the male who was now accompanied with another female. The intoxicated female was roused and between the three i obtained her details. She was past the drunk stage, and in my opinion drifting in and out of a stupor. I informed them that i would call an ambulance, but they both assured me they were in the best position to care for her, and removed her to a place of safety.

The door staff and manager claimed that because they'd had 2 parties and it was so busy that they hadn't seen her all night.

2881

Sir,

This report in respect of the House of Legends, Newport.

At 00:55 hours on 24th November 2012 I was on duty in uniform stood outside Yates in Newport speaking with door staff when a group of three males came walking down the centre of the road from the direction of Hong Kong Express, two of these males were clearly intoxicated, they passed Yates and walked towards the door of Legends. The doorman at legends (bald head) greeted these males and allowed them entry into the premises, one of these two males was so drunk and in a dishevelled state he had his jumper hanging from his waist as he staggered towards the door.

Within only a few moments of these two males entering the premises two females who were ejected from Yates out onto the street approached the same doorman and both females were allowed entry having greeted the doorman with a hug.

A short time later I was sat in the Police vehicle opposite the door and continued observing the comings and goings of customers. At 01:05 hours I saw the doorman refuse three females entry, in doing so he was referring to his watch, I could hear that he was explaining the last entry process, when these females left the area two males approached the same door and gave the same doorman a hug, these males were granted entry.

It appears from the twenty minutes I observed the above the doorman appears to be too over friendly with those that approach the door, it seemed this evening knowing the doorman was the passport to entry despite how drunk they were and then allowed to continue drinking despite being too intoxicated.

At midnight on Friday 30th November 2012 I was on duty in uniform, again present outside these premises when I observed a male with a red check shirt and long hair who was staggering from side to side due to his intoxicated state approach the House of legends premises. In doing so on reaching the few steps he finds great difficulty in getting up the stairs, he should not have been allowed entry but the doorstaff again opened the door and allowed the male to stagger inside.

At 01:09 hours on Saturday 1st December 2012 I was stood outside the premises when I saw the same doorman allow entry to three persons, these persons clearly had not been inside the premises recently as they had walked to the premises from further up the street.

There appears to be little if at all any supervision on the entrance of the House of Legends premises, those persons I have witnessed are too intoxicated to continue drinking and on occasions have continued to go on and be arrested for public order offences through their drunkenness. On the

occasions they do consider stopping persons they blame the fact that entry is refused on the fact that Police are nearby and it would not look good for the premises.

Police Constable 2755 RUMSEY

Newport Response Teams.

Sir,

At approx 2230hrs on Friday 30th November 2012 I was on duty in Newport Town particularly in the area of the High Street, Newport monitoring licensed premises. My immediate attention was drawn to what I believed to be excessive noise from the music being played within The House of Legends Public House. There was what I describe as a distinctive "Thumping" noise from the beat of the music being omitted outside into the High Street. Having been on patrols on many occasions outside of The House of Legends P/H I had not noticed such excessive noise previously albeit I am aware that they play loud music within their premises during Friday and Saturday evenings.

I purposely monitored the excessive noise from the premises for approx 10 to 15 minutes and felt it necessary to report this to EHO. After approx 1 hour later I noticed that the noise of music being omitted into the High Street had somewhat decreased to the point of almost silence. Enquiries were made with a member of door staff by the name of "Nick" who informed me that the amp from the music system had blown up and they could now only play music through their other system hence the decrease in noise.

Having observed The House of Legends throughout the evening it was very noticeable that the door staff of which there were two on the entrance door had no control over the monitoring of persons entering or leaving the premises. I am aware that The House of Legends door staff should use a clicker system to count persons in and out of the premise but these could not be visibly seen with the door staff. What I did notice after speaking with "Nick" (door staff member) and questioning him on how many persons were on the premises was that the clicker system being used was in "Nick's" jacket pocket however "Nick" was checking identification of many persons entering the premises and once persons had entered in a crowd it could be seen that the clickers appeared to be just randomly clicked within each pocket to alter the numbers on the clickers. I feel that this is not an accurate and professional way of monitoring persons in and out of the premises and does not give an accurate record in accordance with health and safety legislation. "Nick" informed me on the evening that he could allow 250 persons onto the premises at any one time.

It is also apparent that the door staff on the entrance door to the premise do not display a level professionalism in their role and it is quite noticeable on occasions during my patrols outside of the House of Legends that the door staff act in a manner in what I describe as "larking" about and joking around with customers entering into the premises.

Another observation was that at 0109hrs (01/12/12) on the same evening during my patrols I witnessed three persons enter the House of Legends P/H with no door staff visible on the entrance door. These persons were not challenged or refused entry knowing that no persons are allowed to enter the premises after 0100hrs.

In my opinion the professionalism and standards being displayed by the House of Legends in general is very poor and the above points raised need to

be addressed with immediate effect. This sort of trading for a licensed premises is unacceptable and falls far below what should be expected from a licensed premises.

I submit this report for your consideration

T/PS 22452

0015 hours 01/01/13 - Whilst on duty outside HOL and Yates, I observed a drunk male be refused entry at Yates, this male became argumentative towards staff at Yates and could be heard swearing. I warned the male to leave the front of the premises, which he did with no issue, he staggered straight into Legends. This male was seen by staff, not spoken with or challenged about his drunken state by the HOL staff.

Duty Report Wednesday 5th December 2012
(Yates, High Street, High Vis Patrols Op)

On duty: PC 22081 Nigel Gore and PS 22509 Luckman

The evening was relatively quiet with there only being Approx 80 people being in Yates at any one time. There was no sign of disorder during the evening and people dispersed quickly due to the very cold weather conditions.

Incident to note:

At approximately 21.30hrs whilst on Patrol outside YATES my attention was drawn to three people who came stumbling out of THE HOUSE OF LEGENDS. They are known as follows

XXXXXXX LAWRENCE 06/08/XX
XX XXXXXXXXX, NEWPORT
01983 52XXXX

XXXXXXX FLY (all other details refused)

XXXXXX STEAD 24/08/XX
XX THE XXXXXXXXXX,
COWES

LAWRENCE and FLY were clearly drunk, stumbling as they walked, being very noisy (shouting, laughing, talking). They were helping each other as they walked. STEAD was not as drunk but it was clear by his glazed eyes and vacant stare that he had consumed a quantity of alcohol. The three dropped a shopping bag they were carrying with food spilling out onto the footpath. All three stopped outside YATES and spoke to the door staff whilst they smoked a cigarette. Again it was clear they were drunk by the way there were acting and carrying on. The door staff at Yates then let the three into the smoking area with a view to allowing them into the bar. At this point I approached the door staff and suggested that the three were not allowed in the bar as they were clearly drunk and should not be served. The door staff reply was "I did not think they were drunk". It was clear by the conversation that the group had had with the door staff that they were all known to each other. I suggested again that the three were too drunk to enter the bar. Whilst PC GORE was explaining our reasons to the door staff a male who identified himself as bar staff from THE HOUSE OF LEGENDS appeared. He agreed with PC GORE's assessment of the females. This male is Known to us as MATHEW BURCHMOOR. It transpired that BURCHMOOR had just finished his duty and had been trying to chat up LAWRENCE and FLY whilst serving them. He had followed them to YATES. Reluctantly the door staff advised the group that they were not allowed in the bar. This caused a reaction from LAWRENCE and FLY who were not best pleased that they had been labelled as being too drunk. PC Gore and I spoke to LAWRENCE and FLY at length who readily asked the same questions and were not listening to our reasoning. LAWRENCE and FLY did state that they had consumed their drinks in THE

HOUSE OF LEGENDS. I did inform them that they would not be allowed back into THE HOUSE OF LEGENDS. Eventually LAWRENCE and FLY walked towards the HOGS HEAD. LAWRENCE and FLY entered THE HOUSE OF LEGENDS against my instructions. PC GORE and I entered THE HOUSE OF LEGENDS to speak with the duty manager, DAN NEWMAN to ensure the females were not served any more alcohol. There were a handful of people in the bar at the time. As we tried to explain our reasons to NEWMAN, BURCHMOOR decided to get involved. I would describe his attitude as somewhat obstructive, aggressive and disrespectful towards what we were trying to achieve. The simplest way to describe BURCHMOOR was 'gobby' and someone who clearly was not prepared to listen to the advice given by Police. I then recognised BURCHMOOR from two weeks previous when he was involved in a disturbance on the HIGH STREET. He was in drink being his usual self where upon he was proud to gesticulate that he was the Manager at THE HOUSE OF LEGENDS which he felt would exonerate him from being spoken to by Police. I then saw BURCHMOOR again at a Take away establishment where upon he became 'gobby' towards me where upon he had to be warned about his behaviour again.

I explained to NEWMAN that he needed to control his staff and advise them accordingly on how to act when questioned by Police about Licensing issues. NEWMAN seemed very weak and clueless in his position as Manager and did not have any authority over BURCHMOOR. During all of this STEAD decided to offer his opinion. It was clear that STEAD was friendly with both NEWMAN and BURCHMOOR.

LAWRENCE and FLY then left THE HOUSE OF LEGENDS. Outside the two spoke with us offering their personal opinions about our actions and decisions. As we walked away STEAD was standing outside smoking. He offered his opinion two which was bordering on being disorderly. I told STEAD that he too would not be being served again tonight and entered THE HOUSE OF LEGENDS and informed NEWMAN of this. STEAD stated that he wanted to go back inside the bar to say goodbye to his mates. On watching STEAD he stood at the bar and finished his pint. This was observed by NEWMAN who did not do anything to stop STEAD.

As we left the bar LAWRENCE and FLY entered THE HOGS HEAD. Door staff were unaware of the previous incidents and on being told they asked the two females to leave. LAWRENCE and FLY left the area shortly afterwards.

As we walked past THE HOUSE OF LEGENDS towards YATES a member of public called us into the bar and asked why we had ordered the HOUSE OF LEGENDS to close. On speaking to NEWMAN he stated that it was his decision to close and it was not worth the hassle staying open. THE HOUSE OF LEGENDS closed at approximately 22.30hrs.

23a

In summary It was clear that staff at THE HOUSE OF LEGENDS were serving their friends/associates alcohol and totally ignoring their responsibilities. Unfortunately their friends/associates had let them down by their actions and attitudes towards Police. It is clear that staff do not know how to conduct themselves when spoken to by Police. BURCHMOOR is a trouble maker and clearly has no regard for his employer and his license.

Submitted for consideration of the licensing department

PS 22509 James Luckman

236

McDonald, Andrew

From: McDonald, Andrew
Sent: 25 November 2012 22:33
Subject: Fletcher, Gary
RE: House of Legends.

Hi Gary,

24 November

Below is the report from Scott in relation to Friday. Regarding Saturday I first went up at 21:20hrs and Nicholas BARNES head door staff could not wait to have speak with me. He stated that all the door staff as of Saturday had become employed by a new company. He was expecting clickers and flouresant tabards to arrive shortly. He stated that they would also be in charge of the Loft when it opens on the 12 of December. In terms of numbers on hours checks it was always 200. But there were lots of people going in and out and I could see there was no possible way that they could say that there was 200 on every occasion. There also had to be the real possibility that they could have had more than 200 in at some stages.

In terms of glass I never saw anything myself

I have put the business card on your desk of this new security company.

Thanks

Andy

From: Cooper, Scott
Sent: 24 November 2012 02:43
To: McDonald, Andrew
Subject: House of Legends.

Sarge,

On Friday 22/11/12 night / Saturday morning 23/11/12 I spoke with door staff at House of Legends in relation to the number of persons present.
I was informed at 23:00 hours that there were around 60.
I was then informed at 23:30 hours that there was around 60 persons.
I was again informed at 0:00 hours that there was around 60 persons. I asked if I could see the clicker to get an accurate number. I was informed by door staff that management do not provide a clicker and they just estimate the numbers present.
At 01:00 hours there was around 24 persons present.
I did not see any persons drinking out of glass.
I was informed by other officers that a number of persons were allowed entry whilst in drink. They have been requested to also send e-mails to licencing.

Hope this helps.

Scott.

PC 22257 SCOTT COOPER [Newport TPT]
Isle of Wight OCU | Hampshire Constabulary
External 0845 045 4545

Fletcher, Gary

From: Clawson, Terry
Sent: 07 December 2012 18:59
Subject: Fletcher, Gary
FW: House of Legends

Hi Gary

I have spoken to the door staff on several occasions when on patrol on Friday/Saturday evenings over the past 2 months.

Examples are:

2x females refused entry to Yates for being too drunk. They walked straight down to HOL, chatted to the door staff for a minute and were then let in. When I challenged the door staff they said "we have told them only to drink water"

2x females refused entry to Yates as one did not have ID and looked under 18. Walked to HOL, hugged the doorman & were let in. When challenged he said he recognised them and knew they were over 18 but I was not completely convinced. It was too busy inside to find them again easily.

The door staff in my opinion have a too friendly attitude towards females in particular and appear to let their standards down to young ladies who give them a smile & a hug!

TC

Terry Clawson

Inspector
Newport Safer Neighbourhood Team
B Relief Targeted Patrol Team

Police Station, High Street,
Newport, Isle of Wight. PO30 1SZ

25 B-67

Incident At House of Legend 26/1/2013

Suspect arrested for causing an affray.

The incident occurred at House of Legends in Newport High Street.

Staff were seen to eject an unknown male from the premises with a bloodied nose. PS HAYWARD approached male who refused all details and started to move away. As this occurred an unknown female was then ejected from the premises. The member of door staff tried to let go of her but she kept hold of his arm and he had to shake her off. At least 3 further scuffles seemed to be taking place inside the premises with door staff restraining a male on the floor. PS HAYWARD entered and it was quickly ascertained that this male had been trying to prevent a fight and he was released. As he was released the suspect XXXXX XXXXXX started to swing his fists around flailing out at anyone near him inside the pub. A group who appeared to be with Loyd tried to restrain him along with PS HAYWARD and get him out of the premises. An assistance call was put in for more units. As he was being ejected XXXXX was struggling and stating that he would 'have' me and other officers if we didn't get our hands off him. As XXXXX was taken outside other officers arrived and he had to be restrained to the ground. He was handcuffed and fastrapped due to his violent behaviour. He had been seen to strike at least two other unknown persons in the pub. The area was very crowded both inside and out of the premises and a number of persons were clearly concerned and backed away from XXXXX in apparent fear. XXXXX behaviour was clearly disorderly and he was unsteady on his feet, speech slurred and eyes glazed and breath smelt of alcohol-he was drunk.

Interviewing officers comments in relation to in house CCTV

Gary,

In relation to the above incident, I have some concerns regarding the CCTV footage that I was given from the pub as I could clearly see front door, however the incident took place within the club and when I looked at the Dance floor camera, the quality was not able to be viewed due to it being pitch black, I am concerned not only cause this is where the incident happened but also it could be necessary to protect the staff if they get into any problems.

Iain 20824

Annexe 1

[REDACTED]

- Reports +
photos.

Premises Licence Number

IW 038397

MG Heating (IW) Ltd

House of Legends

21-22 High Street

Newport

Isle of Wight

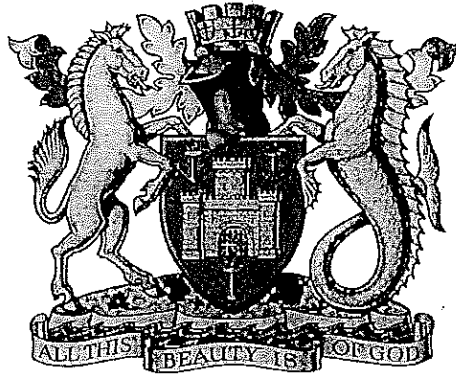
PO30 1SS

Licensable Activities Authorised By This Licence

Live Music (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Recorded Music (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Performances of Dance (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Anything of a Similar Description (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Provision of Facilities for:	
Making Music (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Dancing (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Entertainment of a Similar Description (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Late Night Refreshment (Inside)	Sunday to Thursday 23:00hrs to 00:30hrs Friday and Saturday 23:00hrs to 02:00hrs
Supply of Alcohol (Inside)	Sunday to Thursday 10:00hrs to 00:30hrs Friday and Saturday 10:00hrs to 02:00hrs
Non Standard Timings All Licensable Activities	Christmas Eve, New Years Eve and Sundays on a Bank Holiday Weekend 10:00hrs to 02:00hrs

This licence authorises the supply of alcohol for consumption on and off the premises

Isle of Wight Council



Licensing Act 2003

Premises Licence Part A

Part 2

Name, address and telephone number of holder of premises licence

MG Heating (IW) Ltd
16 Little London, Newport, Isle of Wight, PO30 5BS

Registered number of holder

03680341

**Name, address and telephone number of Designated Premises
Supervisor**

Mrs Alexandra Goldstone
[REDACTED ADDRESS]

**Personal Licence Number and issuing authority of personal licence held
by designated premises supervisor**

IW 032189
Isle of Wight Council

ISLE OF WIGHT COUNCIL

Jubilee Stores
The Quay
Newport
Isle of Wight
PO30 2EH

Annex 1

Mandatory Conditions

(Where the Premises Licence authorises the supply of alcohol)

1. No supply of alcohol may be made under the premises licence
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - i) the outcome of a race, competition or other event process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 6.
 - 1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - 2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
 7. The responsible person shall ensure that—
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml; and
 - b) customers are made aware of the availability of these measures.

(Where the Premises Licence authorises the exhibition of films)

8. Admission of children to the exhibition of any film is to be restricted in accordance with Section 20.

(Where the Premises Licence includes a condition that door supervisors must be used)

9. All security personnel must be licensed by the Security Industry Authority.

ISLE OF WIGHT COUNCIL

Jubilee Stores
The Quay
Newport
Isle of Wight
PO30 2EH

Premises Licence Number
IW 038397

Annex 2 Conditions consistent with the operating Schedule

1. The public are not permitted to enter the premises before 06:00hrs on any day.
2. The public are not permitted to remain on the premises after 01:00hrs Sunday to Thursday and 02:30hrs Friday, Saturday, Christmas Eve, New Years Eve and Sundays on a Bank Holiday weekend.
3. Written risk assessments to be conducted and appropriate action taken:- *MA Heating has done the risk assessments for H&S. new staff manuals.*
4. Door supervisors shall be deployed according to a written risk assessment produced by or on behalf of the licence holder. *not brought to the meeting*
5. There will be no entertainment of an adult nature.
6. The premises will remain a member of the local Pubwatch scheme. *Kent + Holly*
7. Random door searches will be carried out on entry to the premises in accordance with a written risk assessment in relation to crime and disorder when door supervisors are deployed. *alex not logged on today*
8. The 'Challenge 21' scheme will be adopted at the point of sale of alcohol and also at the point of entry to the premises when door supervisors are deployed.
9. CCTV will be installed and maintained to the satisfaction of the local authority and operating when the premises are open for licensable activities. Recorded images will be retained for a minimum period of 30 days and such images will be made available to the police on request.
10. Staff will receive training in the management and control of disorderly and drunken persons. Written records will be kept of such training. *No records*

11. All staff involved in the sale of alcohol will receive training in their roles and responsibilities under the Licensing Act. Written records will be kept of such training. *No records*
12. The maximum number of persons permitted on the premises will not exceed 250. Door staff when deployed will keep accurate records of the number of persons present on the premises by the use of 'clicker' type number counting devices.
13. Alcohol will not be removed from the premises in open containers.
14. A written drugs policy will be maintained and made available to the police on request. *In order.*
15. Prominent, clear and legible notices shall be displayed at all exits requesting customers to respect the needs of local residents by leaving the premises and the area quietly.
16. A copy of all public nuisance complaints received shall be recorded in a log book containing the time of complaint, date, complainant's name and address (where provided) along with the action taken by the responsible person to deal with the complaint, including the date and time of the action's completion. The log book shall at all times be available for inspection by an authorised officer of the local Licensing Authority and in any event within 24 hours of such a request. *Not necessary not needed*
17. Late Night Refreshment is restricted to hot drinks only. ✓
18. A suitable number of door supervisors shall be employed whenever live or recorded music is provided at the premises after 21:00hrs. ✓
19. A suitable number of door staff shall be employed from 21:00hrs whenever licensable activities are to be carried on after 00:30hrs. ✓
20. When employed, door staff shall supervise customers entering and leaving the premises and shall monitor the conduct of customers in all licensed parts of the premises. ✓
21. Plastic or polycarbonate glassware only must be used from 21:00hrs on Wednesday, Friday and Saturday nights. ✓
22. No customer shall be admitted to the premises after 01:00hrs on any occasion.
23. No child under the age of 16 years shall be permitted to remain on the premises after 21:00 hours unless the child is dining with a person aged over 18 years. No child under the age of 16 years shall be permitted to remain on the premises after 23:00 hours.

24. The designated premises supervisor, or in his or her absence, a personal licence holder, shall be present whenever live or recorded entertainment is provided.
25. No regulated entertainment after 23:00hrs hereby authorised by this licence shall be permitted unless all doors and windows are kept closed to prevent noise, from live or recorded music, causing a nuisance to neighbours.
26. The designated premises supervisor, or nominated deputy, shall make regular assessments of any noise outside of the premises or from any noise sensitive areas, to ensure that noise nuisance is not taking place.

Annex 2

In conjunction with
police reports # 17

Premises Licence Number

IW 038397

MG Heating (IW) Ltd

House of Legends

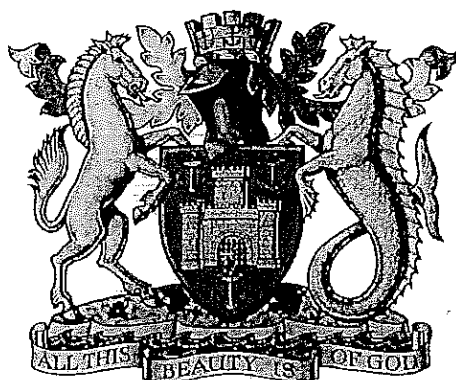
21-22 High Street

Newport

Isle of Wight

PO30 1SS

Isle of Wight Council



Licensing Act 2003

Premises Licence Part A

Part 2

Name, address and telephone number of holder of premises licence

MG Heating (IW) Ltd
16 Little London, Newport, Isle of Wight, PO30 5BS

Registered number of holder

03680341

**Name, address and telephone number of Designated Premises
Supervisor**

Mrs Alexandra Goldstone
[REDACTED]

**Personal Licence Number and issuing authority of personal licence held
by designated premises supervisor**

IW 032189
Isle of Wight Council

Refusals last entry 4/11 Ben Burrows

ISLE OF WIGHT COUNCIL

Jubilee Stores
The Quay
Newport
Isle of Wight
PO30 2EH

Read in
CONJUNCTION WITH
HOL STRATEGY.

Premises Licence Number
IW 038397

Annex 2

Conditions consistent with the operating Schedule

1. The public are not permitted to enter the premises before 06:00hrs on any day.
2. The public are not permitted to remain on the premises after 01:00hrs Sunday to Thursday and 02:30hrs Friday, Saturday, Christmas Eve, New Years Eve and Sundays on a Bank Holiday weekend.
3. Written risk assessments to be conducted and appropriate action taken. *NOT KNOWN WHERE*
4. Door supervisors shall be deployed according to a written risk assessment produced by or on behalf of the licence holder. *2+2 Frid
2+3 Sat*
5. There will be no entertainment of an adult nature.
6. The premises will remain a member of the local Pubwatch scheme.
7. Random door searches will be carried out on entry to the premises in accordance with a written risk assessment in relation to crime and disorder when door supervisors are deployed.
8. The 'Challenge 21' scheme will be adopted at the point of sale of alcohol and also at the point of entry to the premises when door supervisors are deployed.
9. CCTV will be installed and maintained to the satisfaction of the local authority and operating when the premises are open for licensable activities. Recorded images will be retained for a minimum period of 30 days and such images will be made available to the police on request.
10. Staff will receive training in the management and control of disorderly and drunken persons. Written records will be kept of such training.

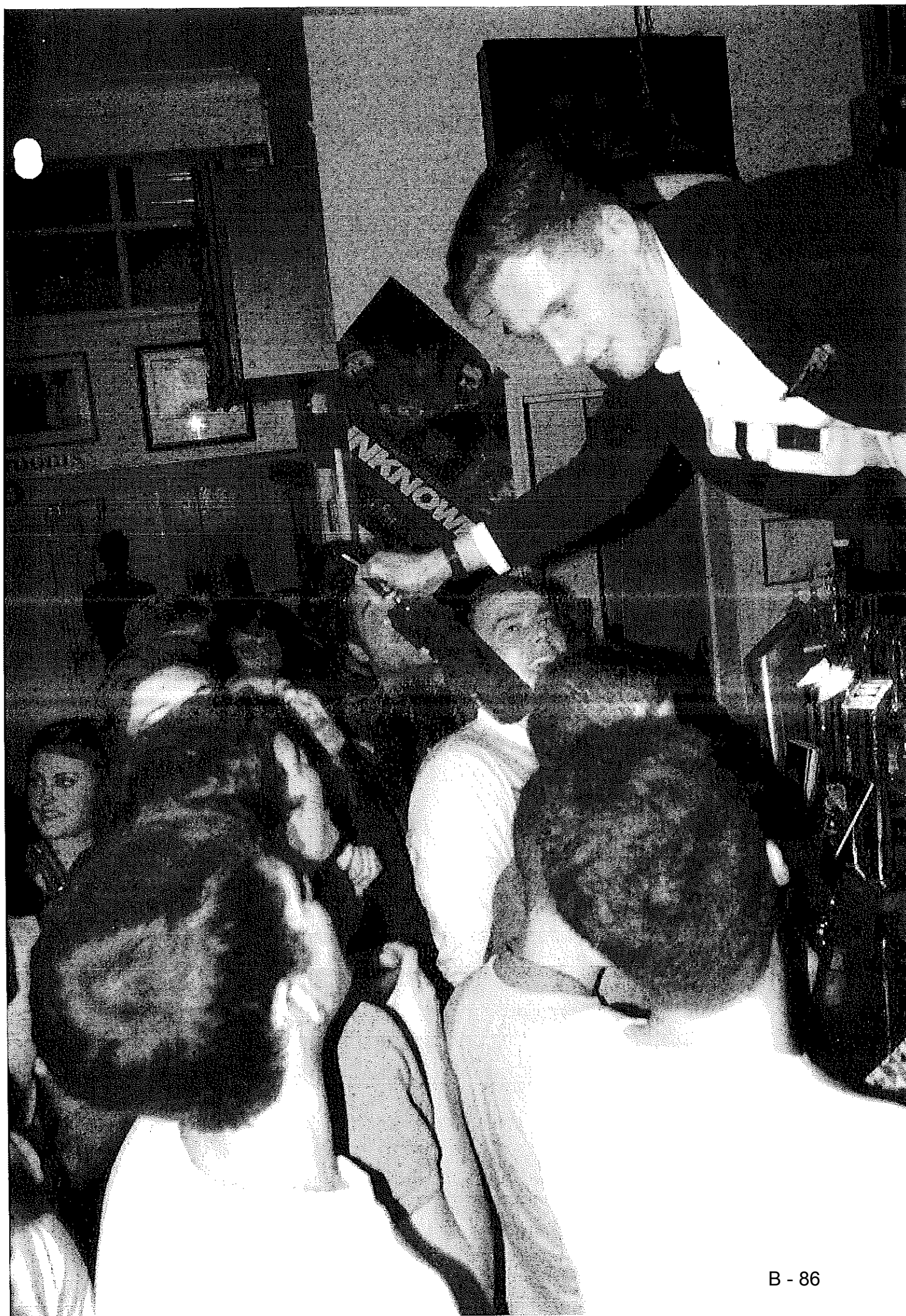
Confirm where

11. All staff involved in the sale of alcohol will receive training in their roles and responsibilities under the Licensing Act. Written records will be kept of such training. *NOT KNOWN*
12. The maximum number of persons permitted on the premises will not exceed 250. Door staff when deployed will keep accurate records of the number of persons present on the premises by the use of 'clicker' type number counting devices. *TO BE CONFIRMED WITH STAFF*
13. Alcohol will not be removed from the premises in open containers.
14. A written drugs policy will be maintained and made available to the police on request.
15. Prominent, clear and legible notices shall be displayed at all exits requesting customers to respect the needs of local residents by leaving the premises and the area quietly.
16. A copy of all public nuisance complaints received shall be recorded in a log book containing the time of complaint, date, complainant's name and address (where provided) along with the action taken by the responsible person to deal with the complaint, including the date and time of the action's completion. The log book shall at all times be available for inspection by an authorised officer of the local Licensing Authority and in any event within 24 hours of such a request. *TO BE CLARIFIED*
17. Late Night Refreshment is restricted to hot drinks only.
18. A suitable number of door supervisors shall be employed whenever live or recorded music is provided at the premises after 21:00hrs.
19. A suitable number of door staff shall be employed from 21:00hrs whenever licensable activities are to be carried on after 00:30hrs.
20. When employed, door staff shall supervise customers entering and leaving the premises and shall monitor the conduct of customers in all licensed parts of the premises.
21. Plastic or polycarbonate glassware only must be used from 21:00hrs on Wednesday, Friday and Saturday nights. *TO BE CONFIRMED WITH STAFF*
22. No customer shall be admitted to the premises after 01:00hrs on any occasion.
23. No child under the age of 16 years shall be permitted to remain on the premises after 21:00 hours unless the child is dining with a person aged over 18 years. No child under the age of 16 years shall be permitted to remain on the premises after 23:00 hours.

24. The designated premises supervisor, or in his or her absence, a personal licence holder, shall be present whenever live or recorded entertainment is provided.
25. No regulated entertainment after 23:00hrs hereby authorised by this licence shall be permitted unless all doors and windows are kept closed to prevent noise, from live or recorded music, causing a nuisance to neighbours.
26. The designated premises supervisor, or nominated deputy, shall make regular assessments of any noise, outside of the premises or from any noise sensitive areas, to ensure that noise nuisance is not taking place.

Annex 3







Annex 4

House of Legends Breaches

- BOL 1. Dispensing alcohol straight into the mouth, photo's and Facebook showing one of the bar staff walking along the bar pouring alcohol straight into the mouths of customers. *Mandatory condition # 4 breached by a member of the bar staff walking along the bar tipping Cactus Jack which is an alcopop into the mouths of customers at the bar.*
- BOL 2. There are regular reports/observations from patrolling police of a failing in using a clicker to control customer numbers. *Condition # 12 states a clicker should be used when door staff are deployed to keep accurate records of customers.*
- BOL 3. Regular reports show a failure to comply with a last entry time. *Condition # 22 states a last entry time of 01:00.*
- BOL 4. During a licensed visit the use of glass when polycarbonate should have been used was witnessed. *Condition # 21 states polycarbonates are to be used after 21:00 on Wednesday, Friday and Saturday nights.*
- BOL 5. During licensed visits, and during an interview with the Licensee/DPS they were unable to produce any *risk assessments (Condition # 3), or training records (Conditions 10 & 11), in fact the bar staff during the visits stated they'd received no training, or public nuisance log book (Condition 16),*
- BOL 6. An incident over the weekend of 26th January 2013 required the internal CCTV for evidential purposes. When it was produced to the police it was found to be of such a poor quality it couldn't be used. *(Condition # 9 states)* ; It's required to be to the satisfaction of the local authority. It's definitely below the level of satisfaction

Other Causes of Concern

The fire risk assessment was carried out in January 2012, it concludes from the formulae the total should be 202 (160 downstairs & 42 upstairs), the licence allows 250. How does the staff control the amount of customers in the 2 area's? To date I haven't seen any control of customer numbers, other than through the front door. Although this isn't a breach of the licence, it does contradict the fire safety plan.

There are regular instances where police have noticed people who are perceived to be drunk, entering the premises, this is despite having to walk past and show identification to SIA door supervisors. The police have also noticed people who have been evicted from other nearby premises walk straight into House of Legends.

Over a sustained period of time, the level of music emanating from inside House of Legends has been excessively loud. Police officers stood opposite have stated on numerous occasions the chasm of difference in noise level coming from House of Legend in comparison to other nearby venues.



Patient Care Report

Printed Date: 17/12/2012

NHS
Isle of Wight

Date of Call : 16/12/2012

Time of Call : 01:35:11

Code :

Narrative Summary

Charlotte, sex Female, Date of Birth (), The ambulance was called on 16/12/2012 01:35:11. The incident occurrence was at Public Place, located at LEGENDS 21-22 HIGH STREET PO30 1SS Newport Isle of Wight United Kingdom.

The Event was NECK PAIN. The mechanism of injury was Fall (>1m or >10 steps). Additional Information is as follows: P/t had long fall down full flight of wooden stairs - 12 steps. Thought to have been unconscious - has been drinking. Hyperventilating and very anxious and drunk. Difficult to manage p/t as she is not co-operating with instructions to immobilise her. Oe - gcs15 states she has been unconscious - c/o severe pain cervical spine, but will not give a pain score. Also c/o pain to both knees and lower legs - no obvious deformity and moving both legs. Not given pain relief due to head injury and drunken state. P/t was hyperventilating and managing scene and p/t was very difficult due to drunken members of the public interfering. I told an off duty fireman to back off several times because he was causing the p/t to panic. He was eventually moved by door staff. Unable to get second set of obs due to pt not co-operating, end dc. The Clinical Status on hand over is: P2.

Surname :

First Name: CHARLOTE

Address :

Date of Birth:

Gender : Female

Age: 25 Years

NHS No. :

Patient Telephone:

Next of Kin :

NOK Phone :

GP Practice :

GP Surname / Surgery :

Ethnic Group:

Religion :

ALERTS /
AD'S:

Patient's Chief Complaint

LONG FALL - NECK PAIN, Back Pain (non-traumatic or non recent trauma)